

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

JERRY NUTT,)	
)	Case No. 1:20-cv-2
<i>Plaintiff,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Christopher H. Steger
SONNY SMART, DAN RAWLS, and)	
SAMMY GARNER,)	
)	
<i>Defendants.</i>)	

ORDER

On June 2, 2021, Magistrate Judge Christopher H. Steger filed his report and recommendation (Doc. 50) pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Steger recommends that the Court grant Plaintiff’s refiled motion for attorney fees (Doc. 46) and award attorney fees against Defendant Smart in the amount of \$47,004.40, and expenses against Defendant Smart in the amount of \$2,272.96. (*See* Doc. 50.) No party objected to Magistrate Judge Steger’s recommendation.¹ Nevertheless, the Court has conducted a review of the report and recommendation, as well as the record, and it agrees with Magistrate Judge Steger’s well-reasoned conclusions.

¹ Magistrate Judge Steger specifically advised the parties that they had fourteen days in which to object to the report and recommendation and that failure to do so would waive any right to appeal. (Doc. 50, at 7 n.1); *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148–51 (1985) (noting that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period in which the parties could timely file any objections has now expired.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Steger's report and recommendation (Doc. 50). Plaintiff's motion for attorney fees (Doc. 46) is **GRANTED**. Plaintiff is **AWARDED** fees against Defendant Smart in the amount of \$47,004.40, and Plaintiff is **AWARDED** expenses against Defendant Smart in the amount of \$2,272.96.

SO ORDERED.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE